

Independent Reporting Mechanism

Action Plan Review:
Papua New Guinea 2022-2024

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Introduction

In January 2021, the Independent Reporting Mechanism (IRM) rolled out the new products that resulted from the IRM Refresh process.¹ The new approach builds on the lessons learned after more than 350 robust, independent, evidence-based assessments conducted by the IRM and inputs from the OGP community. The IRM seeks to put forth simple, timely, fit for purpose, and results-oriented products that contribute to learning and accountability in key moments of the OGP action plan cycle.

IRM products are:

- **Co-Creation Brief:** Brings in lessons from previous action plans, serves a learning purpose, and informs co-creation planning and design.
- **Action Plan Review:** A quick, independent technical review of the characteristics of the action plan and the strengths and challenges IRM identifies to inform a stronger implementation process.
- **Results Report:** An overall implementation assessment that focuses on policy-level results and how changes happen. It also checks compliance with OGP rules and informs accountability and longer-term learning. This product was rolled out in a transition phase in 2022, beginning with action plans ending implementation on 31 August 2022. Results Reports are delivered up to four months after the end of the implementation cycle.

This product consists of an IRM review of the Papua New Guinea 2022-2024 action plan. The action plan comprises 16 commitments that the IRM has filtered and clustered into 8. This review emphasizes its analysis on the strength of the action plan to contribute to implementation and results. For the commitment-by-commitment data, see Annex 1. For details regarding the methodology and indicators used by the IRM for this Action Plan Review, see Section III.

¹ IRM Refresh: <https://www.opengovpartnership.org/process/accountability/about-the-irm/irm-refresh/>

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Section I: Overview of the 2022-2024 Action Plan

Following improved but limited co-creation with civic groups, the action plan includes promising commitments on access to information legislation and fiscal transparency. Effective implementation needs certain capacity resourcing, funding, and monitoring of progress.

Papua New Guinea joined OGP in 2015. This report evaluates the design of its second action plan, which has 16 commitments. The action plan carries forward all commitments from the first plan, as well as introducing nine new commitments. For clarity of analysis, this report clusters commitments on fiscal transparency (5 and 9-12), digital government (7, 8, and 16), and extractive resources transparency (13-15). The cluster on fiscal transparency and the commitment on access to information have substantial potential for results, indicating greater ambition than the previous action plan.

The plan includes the new policy areas of youth participation and digital identity within the National Identity Document (NID) project. It introduces new digital government and budget expenditure reporting legislation. It continues commitments on fiscal transparency, adding the dimension of subnational government. It also continues commitments on access to information legislation, extractive resources transparency, and government engagement with the informal sector and civil society.

Although Papua New Guinea's process for developing the action plan facilitated positive engagement, it did not meet the minimum requirements of the OGP Participation & Co-Creation Standards. Basic rules on the multi-stakeholder forum were not publicly available; the website and repository had not yet been published; and stakeholder contributions were not documented or provided with reasoned response prior to the action plan's publication. Under the previous action plan, Papua New Guinea was also found to be acting contrary to OGP process,¹ having not published a repository in line with IRM guidance.

The process saw improvements compared to the previous action plan cycle, in terms of the level of CSO participation. However, consultation was limited due to a tight timeline and COVID-19 restrictions on travel. In September 2021, the Department of National Planning and Monitoring and Transparency International PNG held a two-day conference to gather

AT A GLANCE

Participating since: 2015
Action plan under review: 2022-2024
IRM product: Action Plan Review
Number of commitments: 16

Overview of commitments:

- Commitments with an open gov lens: [15 (94%)]
- Commitments with substantial potential for results: [6 (38%)]
- Promising commitments: 6

Policy areas carried over from previous action plans:

- Public participation
- Access to information
- Fiscal transparency
- Extractive resources transparency

Emerging policy areas:

- Youth participation
- Digital government
- Digital identity

Compliance with OGP minimum requirements for Co-creation:

- Acted according to OGP process: No

commitment recommendations from around 100 diverse participants from government, civil society, NGOs, the private sector, and development partners.² Following the conference, some CSOs emailed further input on commitments. The Department of National Planning and Monitoring did not provide reasoned response to public input during the co-creation period, but a summary of this input was later published in July 2022.³ A consultant presented a draft action plan to a Drafting Committee of four government agencies and six civil society groups.⁴ The committee's role was to validate the draft and identify an implementing agency for each commitment. Civil society drafters reported short notice of committee meetings and expressed concern that the final set of commitments was not collaboratively co-created. This action plan saw support from some key government agencies, but other agencies were not consulted initially and had already finalized their annual workplans and budgets prior to the action plan.⁵ CSOs were invited to join the implementation of commitments during a quarterly CSO update meeting.⁶

The action plan includes promising commitments on access to information and fiscal transparency. Commitment 6 continues work on foundational legislation on access to government-held information. The cluster on fiscal transparency (Commitments 5 and 9-12) continues work to improve the management, accessibility, and auditing of national public funds, including at the provincial level. This cluster could improve budget design and public trust in government finances. If successfully implemented, these promising commitments could raise Papua New Guinea's core OGP eligibility score in the areas of access to information and fiscal transparency. This would represent critical progress, as Papua New Guinea was placed under procedural review in 2020 for failing to meet the OGP Core Eligibility Criteria for two consecutive years.⁷

The remaining commitments carry out work to increase public participation in decision-making by youth and civil society, improve dialogue with the informal economy, establish a national e-government portal, and progress the National Identity Document roll-out. Legislation will also be drafted to enable online delivery of public services and to establish the Extractive Industries Transparency Initiative (EITI) Commission and enhance reporting from the private sector. While each commitment has activities that can be monitored, they continue existing work programs or anticipate modest results.

Although the action plan addresses critical policy areas, it falls short on addressing some key anti-corruption measures⁸ suggested during the co-creation process. The action plan did not incorporate proposed commitments on a complaints mechanism, electoral integrity, an online tender process for public procurement, or financial accountability of Services Improvement Programs (SIP).⁹ According to the 2021 Global Corruption Barometer Pacific, 96 percent of respondents saw corruption in government as a big problem in Papua New Guinea.¹⁰ Internationally, the Corruption Perception Index ranked Papua New Guinea 124 of 180 countries.¹¹

Effective implementation of commitments relies on certain capacity resourcing, funding, and monitoring of progress. Immediate approval of the OGP Secretariat's request for funds to support national planning can address unclear government resourcing and funding. Delays in implementation may arise in relation to the 2022 election, mitigated by ministers retaining their portfolios until there are clear election results. Once the election results are confirmed and the new government installed, the responsible ministers and key civic groups could come together

to confirm the action plan program and promote the initiatives widely using traditional and social media. Implementation requires oversight from a multi-stakeholder forum, and renewed high-level political engagement from the Department of National Planning and Monitoring. The process would also benefit from establishing a participation code of practice with principles and guidelines for the multi-stakeholder forum and joint participation in implementing the action plan. While commitments have verifiable tasks, milestones to monitor and report publicly on their implementation could strengthen later results. It would be beneficial to establish regular processes for sharing information on implementation and gathering feedback from stakeholders in Port Moresby and in the provinces, at least twice a year through meetings and progress reports on the national OGP website.

¹ Open Government Partnership, Procedural Review, July 2022, <https://www.opengovpartnership.org/procedural-review/>.

² Facebook, Papua New Guinea Open Government Partnership Co-Creation and Good Governance Conference invitation, September 2021, <https://www.facebook.com/pngnatplan/videos/1300178510438609/>.

³ PNG OGP National Action Plan (2021-2023) Co-creation Workshop, <https://www.ogp.gov.pg/wp-content/uploads/2022/07/OGP-Website-Reasoned-Response-220622-1.pdf>.

⁴ CIMC, INA, TIPNG, CELCOR, OXFAM, and Bread for the World, interviews by the IRM.

⁵ Information provided to the IRM local researcher by CELCOR, 2 June 2022, and CIMC, 26 May 2022.

⁶ Barbra Ruin (Transparency International PNG), correspondence with the IRM, 12 August 2022.

⁷ Sanjay Pradhan (OGP), eligibility update letter to Rainbo Paita (Minister of Nat'l Planning and Monitoring for Papua New Guinea), 12 July 2021, https://www.opengovpartnership.org/wp-content/uploads/2021/07/Papua-New-Guinea_Eligibility-Update-Letter_20210712.pdf.

⁸ Dirk Wagener, UN Regional Coordinator, Ending corruption is key to increasing prosperity, 9 December 2021, <https://papuanewguinea.un.org/en/164185-ending-corruption-key-increasing-prosperity#:~:text=Article%2051%20of%20Papua%20New,more%20information%20to%20the%20public;Corruption%20and%20money%20laundering%20in%20the%20Pacific%3A%20intertwined%20challenges%20and%20interlinked%20responses,May%202022,https://www.transparency.org.nz/blog/corruption-and-money-laundering-across-the-pacific;Transparency%20International%20NZ,%20Civil%20society%20organisations%20call%20on%20Pacific%20Island%20Forum%20leaders%20to%20strengthen%20anti%20corruption%20efforts,12%20July%202022,https://www.transparency.org.nz/blog/civil-society-organisations-call-on-pacific-island-forum-leaders-to-strengthen-anti-corruption-efforts;The%20Guardian,%20PNG%20Prime%20Minister%20denies%20connection%20to%20suitcase%20full%20of%20cash%20found%20as%20voting%20starts,6%20July%202022.https://www.theguardian.com/world/2022/jul/06/png-prime-minister-denies-connection-to-suitcase-full-of-cash-found-as-voting-starts>.

⁹ PNG OGP National Action Plan (2021-2023) Co-creation Workshop, <https://www.ogp.gov.pg/wp-content/uploads/2022/07/OGP-Website-Reasoned-Response-220622-1.pdf>.

¹⁰ Global Corruption Barometer Pacific, November 2021, <https://www.transparency.org/en/gcb/pacific/pacific-2021/results/png>; World Bank Group, CPIA value rating, <https://www.indexmundi.com/facts/papua-new-guinea/indicator/IQ.CPA.TRAN.XQ>.

¹¹ Transparency International, Papua New Guinea, Corruption Perceptions Index 2021, <https://www.transparency.org/en/countries/papua-new-guinea>.

Section II: Promising Commitments in Papua New Guinea's 2022-2024 Action Plan

The following review looks at the six commitments (one individual commitment and one cluster of five commitments) that the IRM identified as having the potential to realize the most promising results, and offers a brief summary and concise recommendations on the remaining ten commitments. Promising commitments address a policy area that is important to stakeholders or the national context. They must be verifiable, have a relevant open government lens, and have modest or substantial potential for results. This review also provides an analysis of challenges, opportunities, and recommendations to contribute to the learning and implementation process of this action plan.

For clarity of analysis, the IRM has filtered and clustered commitments to align with international open government policy areas. Like the action plan, this report clusters Commitments 13-15 on extractives resources transparency. It also reflects the action plan's clustering of Commitments 9-12 on fiscal transparency, and adds Commitment 5 on the audit report, as this commitment contributes to the cluster's objective. Finally, the report clusters Commitments 7 and 8 on the digital government legislation and portal with Commitment 16 on the National Identity Project, as digital identity is integrally linked to digital government reform. Unlike the action plan, this report does not cluster Commitments 1-4, given the distinct policy aims of each commitment.

Table 1. Promising commitments

| Promising Commitments |
|--|
| 5, 9, 10, 11, and 12. Fiscal Transparency Cluster: This cluster aims to deliver timely central government budget and financial reports and regular audit reports to Parliament, as well as to open public access to this information through media outlets. |
| 6. Access to Information Legislation: This commitment aims to institute an access to information law, which would make the government more open, accountable, and participatory. |

Commitment Cluster 5, 9, 10, 11, and 12: Fiscal Transparency

For a complete description of the commitments included in this cluster, see Commitments 2.1, 4.1, 4.2, 4.3, and 4.4 in [Papua New Guinea's 2022-2024 National Action Plan](#).

Context and objectives:

This cluster aims to make government's fiscal data available in an accurate and timely manner, enabling improved financial management, regular public disclosure of government expenditure, and greater fiscal accountability. Underpinned by completing the roll-out of the Integrated Financial Management System (IFMS), subnational governments and central government agencies, including statutory authorities and state-owned enterprises, must produce their financial reports in time to allow annual reporting by the Department of Treasury (DOT) and the National Economic and Fiscal Commission (NEFC), and audit by the independent Office of the Auditor General. Over recent years, failure to produce these reports has resulted in no audit

reports to Parliament, late fiscal reports on government websites, and incomplete data available for annual budget preparation. This cluster carries forward the fiscal transparency commitments from the previous action plan and widens their scope by introducing additional compliance powers, through revision of the Planning and Monitoring Responsibility Act and the Audit Act. More media outlets and channels are to be used to ensure the reports reach Papua New Guinea's widely dispersed population successfully. This cluster can address Papua New Guinea's current non-compliance with OGP Core Eligibility Criteria on fiscal transparency.¹ The cluster meets core OGP values of transparency and public accountability and aligns with IRM recommendations to prioritize commitments on fiscal transparency.²

Under the first action plan's fiscal transparency commitment, the IFMS roll-out had reached 75 percent of districts by January 2022. However, implementation of the remainder of the commitment faced obstacles including weak ownership by the DOT and Department of Community Development and Religion, as well as funding issues and COVID-19 restrictions.³ Work was not started on auditing public accounts, parliamentary oversight improvements, citizen's budget, budget tracking, or social auditing at the subnational level.⁴ No in-year fiscal reports were made available on the DOT website over the past decade,⁵ and state agencies and statutory bodies lacked the human resources to produce them.⁶ The April 2022 audit report to Parliament by the Auditor General, covering the 2020 financial year, reports increased numbers of financial statements not submitted, with only 51 of 217 entities (43 percent) submitting their financial statements for that period. The Auditor General states that many organizations continue to indicate they are incapable of managing their financial affairs, and gives his view that the concept of effective, prudent, and efficient financial management is yet to be understood and performed by many Chief Executive Officers.⁷

Potential for results: Substantial

This cluster aims to address major systemic and structural gaps in the country's budget and audit processes. In 2021, the Open Budget Survey scored Papua New Guinea 0 (out of 100) for public participation, 28 (out of 100) for budget oversight, and 50 (out of 100) for budget transparency, reporting that the Enacted Budget, In-Year Reports, and Audit Report were either not prepared or not publicly available.⁸ From 2016 to 2021, Transparency International PNG found that 90 percent of government's agencies (65 of 72 agencies) failed to report on how they spent public funds.⁹ The International Budget Partnership noted that countries like Papua New Guinea could improve fiscal transparency by making budget documents publicly available within a timeframe considered meaningful for public participation.¹⁰ This cluster's work is essential for meeting this recommendation.

It offers a comprehensive package of reforms that, if implemented as planned, would centralize Papua New Guinea's financial information infrastructure and systems and establish a common reporting, monitoring, and audit cycle that would lay the foundation for fiscal transparency. When the roll-out of the IFMS is completed, the system will store all central and provincial governments' financial information and provide a common infrastructure for agencies to regularly prepare financial statements and critical budget documents and meet publishing deadlines. The revised Planning and Monitoring Responsibility Act will set up compulsory expenditure reporting and impose penalties for non-compliance, giving the Department of National Planning and Monitoring and the DOT powers to monitor budget implementation and report publicly through Parliament and media outlets. The NEFC will publish subnational

government warrant release schedules and cash remittances. The updated Audit Act will reference the technological systems and IT mechanisms that are being rolled out. The Auditor General's reports to Parliament on the financial statements of more public bodies will be more comprehensive and accessible for public scrutiny.

This cluster has substantial potential to improve Papua New Guinea's financial transparency, increase public access to government's financial information, and demonstrate a stronger government commitment to public accountability. Greater efficiencies and more accurate financial estimates, budget planning, expenditure, and reports will be possible. To achieve wide dissemination to a public with low information literacy and internet penetration, use of media outlets to distribute and communicate the reports in a variety of formats will be essential. Independent audit reports will give Parliament and the public reliable and complete data on Papua New Guinea's financial position. According to Transparency International PNG, ensuring the provision of timely, accessible, accurate audit reports from all agencies is critical for keeping public officials accountable on their performance.¹¹ A review of international studies on audits' impacts shows evidence that publication of audits can reduce corruption, especially when their public dissemination is supported by local media¹² - as intended in this cluster. Overall, the Institute of National Affairs considers access to the fiscal information that would be released by this cluster to be a foundational first step facilitating the public's ability to hold the government accountable on national and provincial expenditure.¹³ Timely preparation and publication of essential budget documents form the basic building blocks of budget accountability and an open budget system.

Opportunities, challenges, and recommendations during implementation

Skilled financial and technical staff are necessary to complete the IFMS roll-out and raise financial capability across central and provincial governments. The previous commitments faced weak ownership by the DOT and the Department of Community Development and Religion, as well as funding issues and COVID-19 restrictions.¹⁴ For this cluster, successful implementation relies on sufficient budget allocation and strong government ownership and leadership. Additionally, reliable financial reports must be shared with the public to raise their trust in government's financial management. Improved telecommunications and cross-government collaboration with the public and local civic groups will be needed to deliver the reports using radio, in-person meetings at villages, and other mechanisms. The key opportunity and challenge is to reach Papua New Guinea's population living in rural areas, with a national internet access rate of 18 percent¹⁵ and adult literacy rate of 62 percent.¹⁶ Ongoing government-funded work with local communities to trial different ways to present this fiscal information successfully will be needed, with resources and funding available during and beyond implementation of this action plan.

Synchronizing the revision of the Planning and Monitoring Responsibility Act with the revisions of the Audit Act and the Public Finance Management Act will create efficiencies for government and easier consultation opportunities. Civic groups can proactively seek involvement. As such, the IRM recommends the following:

- **Complete the IFMS roll-out to all provincial governments as soon as possible** to ensure timely financial reporting and audit reporting can meet action plan timelines.

- **Add actions to formulate, oversee, implement, and monitor budgets and audits.** Include the detailed recommendations in the Open Budget Survey 2021 to improve implementation.¹⁷
- **Gain ministerial, central, and provincial government support for this project and confirm funding and resources.** Consider the Auditor General's recommendation that renewal of chief executives' contracts be subject to their submission of financial statements and implementation and maintenance of prudent financial management.¹⁸ Work with senior officials to gain leadership support, budget, and human resources for the full implementation period.
- **Continue to work with international aid organizations on public financial management reform.** These organizations can play a role in driving the effort and sequential planning and can dedicate resources to institutionalize these legislative reforms.¹⁹
- **Consider amending the Constitution to mandate an independent process for appointing the Auditor General,** as recommended by the International Budget Partnership. This could also ensure that the Auditor General is funded and able to perform its duties independently and with integrity.²⁰
- **Modernize the fiscal information programs.** Develop a staged program to implement processes and procedures to ensure timely central and provincial government financial reports, a reliable NEFC website, non-internet communication, and staff training to reduce high staff turnover.
- **Commence the review of the Audit Act.** Address the 2020 International Budget Partnership recommendations to strengthen independent audit and oversight systems: budget, access to official records, high quality audits, enhanced public participation, the role of the legislature, and review and follow-up of audit reports and recommendations.²¹
- **Invite public participation in the legislative reviews.** Public engagement could add value to the update of the Audit Act, Public Finance Management Act and the Planning and Monitoring Responsibility Act.
- **Ensure that financial and audit reports are accessibly written.** Work with civic society groups to draw up effective ways of communicating these reports to the public. Include executive summaries and simplified key findings in the financial and audit reports to assist with and grow public understanding. Link newly available fiscal information to citizen participation work to inform the budget process under Commitment 4.

Commitment 6. Access to Information Legislation.

For a complete description, see Commitment 3.1 in [Papua New Guinea's 2022-2024 National Action Plan](#).

Context and objectives:

This commitment continues the first action plan's effort to introduce a national access to information policy and legal framework.²² While Section 51 of Papua New Guinea's Constitution formally enshrines freedom of information,²³ there is no enabling legislation apart from provisions under Section 1c of the Statistical Services Act 1980.²⁴ The Department of Information and Communication Technology (DICT) has drafted the National Right to Information Policy (2020-2030)²⁵ as the basis for the planned enabling legislation. Next steps

for the policy are validation by a DICT workshop,²⁶ and endorsement by the new government. However, progress on the legislation has faced obstacles to date. An earlier draft of the access to information legislation was stalled at the Constitutional Law Reform Commission from 2012. In late 2019, a new draft by DICT likewise did not progress.²⁷ In early 2022 it was reported that a workshop on drafting the planned legislation was being prepared.²⁸

Potential for Results: Substantial

The Act will encompass access to information and include penalties for non-compliance. To draft this legislation, the Department of National Planning and Monitoring and DICT are engaging external advisors and planning a consultative process with CSOs including Transparency International PNG (TIPNG), the Center for Environmental Law and Community Rights (CELCOR), the Consultative Implementation and Monitoring Council (CIMC), and others. They will be given the opportunity to discuss ownership, enforcement, and other feedback. During the consultation process, DICT will identify the implementing government agency.²⁹

Stakeholders interviewed considered this a promising commitment, given existing barriers to government transparency.³⁰ A 2018 study of 24 state agencies found that almost 90 percent of state agencies did not provide information when directly requested.³¹ TIPNG reported in 2019 that citizen access to government information was limited, and that CSOs were often forced to establish relationships with government staff to obtain information.³² In December 2021, the UN Resident Coordinator a.i. in Papua New Guinea identified this initiative as a key mechanism to reduce corruption, noting that effective access to government information leads to greater public sector accountability and transparency.³³ In May 2022, the Minister for Information and Communication Technology publicly endorsed this commitment, saying that it would obligate all public organizations to make information publicly available and ease media access.³⁴ The planned legislation would represent a major step forward, but would need complementary action to bolster systems, personnel, and create the bureaucratic culture supportive of open access to information for citizens.

A first step is DICT's planned Monitoring and Evaluation Unit for implementation of this legislation and the Digital Government Act 2022. This provides an opportunity for Papua New Guinea to also demonstrate information policy leadership within the Pacific and to work alongside the Papua New Guinea Ombudsman.³⁵

Opportunities, challenges, and recommendations during implementation

Immediate operational challenges for this commitment are the timeline and drafting personnel. As the Drafting Committee was not established by mid-May 2022, it may be practical to amend the timeline and table the Access to Information Bill in mid-2024. Funding needs to be addressed urgently,³⁶ as does ensuring cross-government and civil society collaboration on this legislation. Given the Constitutional and Law Reform Commission's role in all law review initiatives,³⁷ it would be an important partner for the commitment.

Drafters also have a rare opportunity to legislate for proactive release of official information, requiring government agencies to always publish official information which is not personal or commercial rather than waiting for it to be requested by the public. This could be integrated into the planned e-government portal under Commitment 7. While proactive disclosure could be

considered a very ambitious step for Papua New Guinea, it would create long-term efficiencies and reduce the number of requests made, as the information would already be available. Papua New Guinea's political and government leaders could globally demonstrate their strong commitment to information transparency. The drafters could draw on New Zealand's introduction of proactive release of Cabinet Papers, Ministerial diaries, and responses to requests.³⁸

Implementation of the Act will require funding, delivery of new systems, and significantly raised staff capability and willingness to release unrestricted official information. As such, the IRM recommends the following:

- **Update the timeline for this commitment.** Confirm resources and funding, review progress, and amend the date for tabling the Access to Information Bill to mid-2024.
- **Move the public service to an information disclosure culture.** Seek Ministerial approval to start planning an information disclosure culture, strengthening the institutions that could implement and monitor the legislation, and training all public service staff, including the OGP secretariat and the Ombudsman, on the right to information and how to operationalize it.
- **Build consensus among government agencies on legislative development** through regularly scheduled meetings between the Constitutional and Law Reform Commission, DICT, the Department of Justice, the Department of National Planning and Monitoring, and other relevant agencies. Work collaboratively to build institutional understanding and capacity in this area and raise the low level of investment exhibited during the first action plan. Involve the Minister of the Department of Information and Communication Technology in the drafting process.
- **Consider international best practices on freedom of information policy and legislation,** including policy frameworks for proactive release of public information, requiring timely responses to freedom of information requests, and complaints procedures. Work with the Pacific Community (SPC) which supports Right to Information legislation and open data in the Pacific.³⁹ Draw on the legislation of countries rated highly in the Global Right to Information ranking,⁴⁰ as well as on examples of how Ghana,⁴¹ Kenya,⁴² and Paraguay⁴³ harnessed the open government platform to support passage of similar legislation.
- **Develop an enduring partnership with civil society to mitigate past obstacles to passing the legislation.** Throughout the drafting process, work with CSOs to address their needs in the legislation and support advocacy for its passage. Develop a program with civil society to make use of the new legislation and routinely request official information.
- **Ensure enforcement of the planned law.** Consider and clarify the role of the Papua New Guinea Ombudsman in monitoring and compliance mechanisms. Strengthen national law enforcement's capability to uphold the legislation.⁴⁴

Other commitments

Other commitments that the IRM did not identify as promising commitments are discussed below. This review provides recommendations to contribute to the learning and implementation of these commitments.

These commitments carry out work to increase public participation in decision-making by youth and civil society (Commitments 1, 2, and 4), improve dialogue with the informal economy (Commitment 3), establish a national e-government portal (Commitment 7), and progress the NID roll-out (Commitment 16). Legislation will also be drafted to enable online delivery of public services (Commitment 8) and to establish the Extractive Industries Transparency Initiative (EITI) Commission and enhance reporting from the private sector (Commitments 13-15). While each commitment has activities that can be monitored, they continue existing work programs or anticipate modest results.

More ambitious targets could elevate these commitments' potential results. They would benefit from stronger government ownership of initiatives and guarantees that citizen input will directly influence government decision-making. Implementers can specify clear targets for youth to influence decision-making (Commitment 1) and CSOs to influence the Informal Economy Voice Strategy (Commitment 3) and budget planning (Commitment 4). Commitment 2 could confirm the government's intent to take ownership of the GoPNG-CSO partnership policy and incorporate the existing CSO platform.

The extractive resources transparency cluster (Commitments 13-15) aims to improve resource governance and revenue collection transparency. This cluster can open opportunities for citizens to see how much government revenue is being collected from the sector, and how it is being spent. To improve public accountability, it is recommended that targets for public engagement are set and that the EITI Multi Stakeholder Forum's public reporting, compliance, and monitoring roles are clarified. Independent funding of civil society members would minimize potential conflict of interest concerns and enable them to carry out parallel work to provide a check and balance against government reports.

The digital government cluster (Commitments 7, 8, and 16) seeks to create a portal which filters and shares restricted data between agencies, publishes unrestricted online government information, and provides online government services to the public. The completion of the roll-out of the NID Project, the country's online civil registration system, will enable the public to verify their identity and use online government services. To ensure the right to privacy, the IRM recommends incorporating robust protections on the use of personal information, developed in collaboration with civil society. Work is also recommended to improve the transparency of the NID Project procurement process, and clarify leadership, agency ownership, and funding for its roll-out. Improved internet coverage in Papua New Guinea is needed for adoption of these online services. Adding technical work to this cluster could improve connectivity and coverage and encourage uptake. Ongoing work supporting members of the public without online capability or access must also continue.

- ²⁷ Jessey Sekere and David (DICT), interview by the IRM, 1 June 2022.
- ²⁸ The IRM received this information from Transparency International PNG during the pre-publication period for its Papua New Guinea Hybrid Report (17 March 2022).
- ²⁹ Jessey Sekere and David (DICT), interview by the IRM, 1 June 2022.
- ³⁰ Transparency International PNG, CELCOR, and International Federation for Electoral Systems, interviews by the IRM.
- ³¹ Transparency International PNG, Our right to know, their duty to tell, 30 September 2019, See Press release, https://png-data.sprep.org/system/files/TIPNG_PR_270919_PNG_Needs_Right_To_Information_RTI_Law_to_Address_Public-Sector_Corruption.pdf.
- ³² Transparency International PNG, interview by the IRM, 30 August 2019.
- ³³ United Nations, Ending corruption is key to increasing prosperity, December 2021, <https://papuanewguinea.un.org/en/164185-ending-corruption-key-increasing-prosperity#:~:text=Article%2051%20of%20Papua%20New,more%20information%20to%20the%20public.>
- ³⁴ Timothy Masiu, Minister for Information and Communication Technology, Work on the access to information legislation is currently underway, 4 May 2022, <https://postcourier.com.pg/law-for-access-to-information/>.
- ³⁵ Jessey Sekere and David (DICT), interview by the IRM, 1 June 2022.
- ³⁶ Jessey Sekere and David (DICT), interview by the IRM, 1 June 2022; Stephanie Kirriwom (CELCOR), interview by the IRM, 2 June 2022.
- ³⁷ Constitutional and Law Reform Commission, Powers and functions, <https://www.clrc.gov.pg/about-us/powers-and-functions>.
- ³⁸ NZ Public Service Commission, Strengthening Proactive Release requirements, 10 November 2017, <https://www.publicservice.govt.nz/assets/DirectoryFile/Report-Strengthening-Proactive-Release-Requirements-supporting-advice.pdf>; and Minister Hipkins, Cabinet Paper : The next steps in the public release of official information. 17 May 2022, <https://www.publicservice.govt.nz/assets/DirectoryFile/Cabinet-paper-The-Next-Steps-in-the-Public-Release-of-Official-Information.pdf>.
- ³⁹ Pacific Community (SPC), Open data and right to information: vital tools to enhance, February 2022, <https://www.spc.int/updates/blog/partners/2022/02/open-data-and-right-to-information-vital-tools-to-enhance>.
- ⁴⁰ Global Right to Information Rating, 2018, <https://countryeconomy.com/government/global-right-information-rating>.
- ⁴¹ Open Government Partnership, IRM, Ghana Implementation Report 2017-2019, 7 May 2021, <https://www.opengovpartnership.org/documents/ghana-implementation-report-2017-2019/>.
- ⁴² Open Government Partnership, IRM, Kenya End-of-Term Report 2016-2018, 31 August 2020, <https://www.opengovpartnership.org/documents/kenya-end-of-term-report-2016-2018/>.
- ⁴³ Ruth Gonzalez Llamas, Learning from peers: Implementing the Access to Information law in Paraguay, OGP, 28 August 2015, <https://www.opengovpartnership.org/stories/learning-from-peers-implementing-the-access-to-information-law-in-paraguay/>.
- ⁴⁴ Transparency International PNG, interview; Constitutional and Law Reform Commission, interview by the IRM, 3 September 2019; Dept. of Information and Technology, interview by the IRM, 2 September 2019.

Section III. Methodology and IRM Indicators

The purpose of this review is not an evaluation. It is intended as a quick, independent, technical review of the characteristics of the action plan and the strengths and challenges the IRM identifies to inform a stronger implementation process. The IRM highlights commitments that have the highest potential for results, a high priority for country stakeholders, a priority in the national open government context, or a combination of these factors.

The IRM follows a filtering and clustering process to identify promising reforms or commitments:

Step 1: Determine what is reviewable based on the verifiability of the commitment as written in the action plan.

Step 2: Determine if the commitment has an open government lens. Is it relevant to OGP values?

Step 3: Review commitments that are verifiable and have an open government lens to identify if certain commitments need to be clustered. Commitments that have a common policy objective or contribute to the same reform or policy issue should be clustered. The potential for results of clustered commitments should be reviewed as a whole. IRM staff follow these steps to cluster commitments:

- a. Determine overarching themes. If the action plan is not already grouped by themes, IRM staff may use OGP's thematic tagging as reference.
- b. Review commitment objectives to identify commitments that address the same policy issue or contribute to the same broader policy or government reform.
- c. Organize commitments into clusters as needed. Commitments may already be organized in the action plan under specific policy or government reforms.

Step 4: Assess the potential for results of the clustered or standalone commitment.

Filtering is an internal process. Data for individual commitments is available in Annex 1. In addition, during the internal review process of this product, the IRM verifies the accuracy of findings and collects further input through peer review, OGP Support Unit feedback as needed, interviews and validation with country stakeholders, an external expert review, and oversight by IRM's International Experts Panel (IEP).

As described earlier, IRM relies on **three key indicators** for this review:

I. Verifiability

- **Yes, specific enough to review:** As written in the action plan, the stated objectives and proposed actions are sufficiently clear and include objectively verifiable activities to assess implementation.
- **No, not specific enough to review:** As written in the action plan, the stated objectives and proposed actions lack clarity and do not include explicitly verifiable activities to assess implementation.
- Commitments that are not verifiable will be considered not reviewable, and further assessment will not be carried out.

II. Open government lens

This indicator determines if the commitment relates to the open government values of transparency, civic participation, or public accountability as defined by the Open Government Declaration and the OGP Articles of Governance by responding to the following guiding questions. Based on a close reading of the commitment text, the IRM first determines whether the commitment has an open government lens:

- **Yes/No:** Does the commitment set out to make a policy area, institution, or decision-making process more transparent, participatory, or accountable to the public?

The IRM uses the OGP values as defined in the Articles of Governance. In addition, the following questions for each OGP value may be used as a reference to identify the specific open government lens in commitment analysis:

- **Transparency:** Will the government disclose more information, improve the legal or institutional frameworks to guarantee the right to information, improve the quality of the information disclosed to the public, or improve the transparency of government decision-making processes or institutions?
- **Civic Participation:** Will the government create or improve opportunities, processes, or mechanisms for the public to inform or influence decisions? Will the government create, enable, or improve participatory mechanisms for minorities or underrepresented groups? Will the government enable a legal environment to guarantee freedoms of assembly, association, and peaceful protest?
- **Public Accountability:** Will the government create or improve opportunities to hold officials answerable for their actions? Will the government enable legal, policy, or institutional frameworks to foster accountability of public officials?

III. Potential for results

The IRM adjusted this indicator—formerly known as the “potential impact” indicator—to take into account the feedback from the IRM Refresh consultation process with the OGP community. With the new results-oriented strategic focus of IRM products, the IRM modified this indicator to lay out the expected results and potential that would be verified in the IRM Results Report after implementation. Given the purpose of this Action Plan Review, the assessment of potential for results is only an early indication of the possibility the commitment has to yield meaningful results based on its articulation in the action plan in contrast with the state of play in the respective policy area.

The scale of the indicator is defined as:

- **Unclear:** The commitment is aimed at continuing ongoing practices in line with existing legislation, requirements, or policies without indication of the added value or enhanced open government approach in contrast with existing practice.
- **Modest:** A positive but standalone initiative or change to processes, practices, or policies. The commitment does not generate binding or institutionalized changes across government or institutions that govern a policy area. Examples are tools (e.g., websites) or data release, training, or pilot projects.

- **Substantial:** A possible game changer for practices, policies, or institutions that govern a policy area, public sector, or the relationship between citizens and state. The commitment generates binding and institutionalized changes across government.

This review was prepared by the IRM in collaboration with Maureen Thomas and Keitha Booth and was externally expert reviewed by Brendan Halloran. The IRM methodology, quality of IRM products, and review process are overseen by IRM's IEP. For more information, see the IRM Overview section of the OGP website.¹

¹ IRM Overview, <https://www.opengovpartnership.org/irm-guidance-overview/>

Annex 1. Commitment by Commitment Data¹

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|---|
| Commitment 1: Youth Participation in Decision-Making and Service Delivery |
| <ul style="list-style-type: none">• Verifiable: Yes• Does it have an open government lens? Yes• Potential for results: Modest |
| Commitment 2: GoPNG-CSO Partnership Policy |
| <ul style="list-style-type: none">• Verifiable: Yes• Does it have an open government lens? Yes• Potential for results: Modest |
| Commitment 3: Informal Economy Voice Strategy |
| <ul style="list-style-type: none">• Verifiable: Yes• Does it have an open government lens? Yes• Potential for results: Modest |
| Commitment 4: Citizen Engagement in Budgeting & Planning |
| <ul style="list-style-type: none">• Verifiable: Yes• Does it have an open government lens? Yes• Potential for results: Modest |
| Commitment 5: Timely Production and Publication of Annual Audit Reports |
| <ul style="list-style-type: none">• Verifiable: Yes• Does it have an open government lens? Yes• This commitment has been clustered as: Fiscal Transparency (Commitments 5, 9, 10, 11, and 12 of the action plan)• Potential for results: Substantial |
| Commitment 6: Access to Information Legislation |
| <ul style="list-style-type: none">• Verifiable: Yes• Does it have an open government lens? Yes• Potential for results: Substantial |
| Commitment 7: National E-Government Portal |
| <ul style="list-style-type: none">• Verifiable: Yes• Does it have an open government lens? Yes• This commitment has been clustered as: Digital Government (Commitments 7, 8, 16 of the action plan)• Potential for results: Modest |
| Commitment 8: Digital Government Legislation and Strategy |
| <ul style="list-style-type: none">• Verifiable: Yes• Does it have an open government lens? Yes |

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| <ul style="list-style-type: none"> • This commitment has been clustered as: Digital Government (Commitments 7, 8, 16 of the action plan) • Potential for results: Modest |
| <p>Commitment 9: Monitoring and Reporting on the Budget Expenditure</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • This commitment has been clustered as: Fiscal Transparency (Commitments 5, 9, 10, 11, and 12 of the action plan) • Potential for results: Substantial |
| <p>Commitment 10: Timely Publication of Fiscal Information</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • This commitment has been clustered as: Fiscal Transparency (Commitments 5, 9, 10, 11 and 12 of the action plan) • Potential for results: Substantial |
| <p>Commitment 11: Roll-out of the IFMS</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? No • This commitment has been clustered as: Fiscal Transparency (Commitments 5, 9, 10, 11, and 12 of the action plan) • Potential for results: Substantial |
| <p>Commitment 12: Publication of Warrants and Cash Remittance to Subnational</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • This commitment has been clustered as: Fiscal Transparency (Commitments 5, 9, 10, 11, and 12 of the action plan) • Potential for results: Substantial |
| <p>Commitment 13: Establishment of EITI Commission</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • This commitment has been clustered as: Extractive Resources Transparency (Commitments 13-15 of the action plan) • Potential for results: Modest |
| <p>Commitment 14: Enactment of EITI Reporting Legislation</p> <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • This commitment has been clustered as: Extractive Resources Transparency (Commitments 13-15 of the action plan) • Potential for results: Modest |

Commitment 15: Annual Production and Publication of EITI Reports

- Verifiable: Yes
- Does it have an open government lens? Yes
- This commitment has been clustered as: Extractive Resources Transparency (Commitments 13-15 of the action plan)
- Potential for results: Modest

Commitment 16: Roll-out of the National Identity Project

- Verifiable: Yes
- Does it have an open government lens? Yes
- This commitment has been clustered as: Digital Government (Commitments 7, 8, 16 of the action plan)
- Potential for results: Modest

¹ **Editorial notes:**

1. *For commitments that are clustered: the assessment of potential for results is conducted at the cluster level, rather than the individual commitments.*
2. *Commitment short titles may have been edited for brevity. For the complete text of commitments, please see [Papua New Guinea's action plan](#).*

Annex 2: Action Plan Co-Creation

OGP member countries are encouraged to aim for the full ambition of the updated OGP Participation and Co-Creation Standards that came into force on 1 January 2022.¹ IRM assesses all countries that submitted action plans from 2022 onward under the updated standards. OGP instituted a 24-month grace period to ensure a fair and transparent transition to the updated standards. During this time, IRM will assess countries' alignment with the standards and compliance with their minimum requirements.² However, countries will only be found to be acting contrary to the OGP process if they do not meet the minimum requirements, starting with action plans submitted to begin in 2024 and onward. Table 2 outlines the extent to which the countries' participation and co-creation practices meet the minimum requirements that apply during development of the action plan.

Table 2. Compliance with minimum requirements

| Minimum requirement | Met during co-creation? | Met during implementation? |
|---|-------------------------|---|
| 1.1 Space for dialogue: During the co-creation process, the space for dialogue was a Drafting Committee of four government agencies and six civil society groups. The Committee was formed after a two-day OGP National Conference on Co-Creation. ³ The Committee met four times to validate the draft action plan and identify an implementing agency and supporting CSO for each commitment. It did not meet the minimum requirement, as its basic rules are not publicly available. (The National Steering Committee from the previous action plan ⁴ did not meet during development of the second action plan.) | No | <i>To be assessed in the results report</i> |
| 2.1 OGP website: As of 15 July 2022, the OGP website was available, but content was still being completed. ⁵ It did not meet the minimum requirement, as the website was not online during the co-creation process. | No | <i>To be assessed in the results report</i> |
| 2.2 Repository: As of 15 July 2022, the OGP website listed the first and second national action plans. ⁶ It did not meet the minimum requirement, as the website was not online during the co-creation process. | No | <i>To be assessed in the results report</i> |
| 3.1 Advanced notice: The government published an invitation to the OGP National Conference in the two daily newspapers (Post Courier and The National) two weeks prior to the conference. This invitation was shared on the Facebook pages of Transparency International PNG and the Department of National Planning and Monitoring. ⁷ | Yes | Not applicable |
| 3.2 Outreach: The two-day OGP National Conference on Co-creation on 9-10 September 2021 was streamed on Facebook. ⁸ | Yes | Not applicable |
| 3.3 Feedback mechanism: Stakeholders that attended the OGP National Conference were able to comment and provide | No | Not applicable |

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|--|----------------|---|
| feedback on the action plan. Some shared further feedback by email over the following month. ⁹ This did not meet the minimum requirement, as feedback was not published, although their recommendations and input were captured in the commitments. ¹⁰ | | |
| 4.1 Reasoned response: During the co-creation period, stakeholder feedback at the conference was not published, nor was written feedback reported back by the MSF or government on how their contributions were considered during development of the action plan. ¹¹ A summary table was later published in July 2022. ¹² | No | Not applicable |
| 5.1 Open implementation: The IRM will assess whether meetings were held with civil society stakeholders to present implementation results and enable civil society to provide comments in the Results Report. | Not applicable | <i>To be assessed in the results report</i> |

While developing the action plan, Papua New Guinea did not meet the minimum requirements of the OGP Participation & Co-Creation Standards. Basic rules on the multi-stakeholder forum were not publicly available; the website and repository had not yet been published; and stakeholder contributions were not yet documented or provided with reasoned response. Under the previous action plan, Papua New Guinea was also found to be acting contrary to OGP process,¹³ having not published a repository in line with IRM guidance. To meet OGP standards during implementation, the IRM recommends:

- **Space for Dialogue:** Ensure that the multi-stakeholder forum meets at least every six months and publishes its basic rules on participation.
- **Website and Repository:** Maintain the OGP website and repository, in line with the minimum requirements of the OGP Participation & Co-Creation Standards.
- **Open Implementation:** Establish regular processes and online and offline mechanisms for sharing information on implementation with stakeholders in Port Moresby and in the provinces and gathering feedback.

¹ Open Government Partnership, Participation and Co-Creation Standards, 2021, <https://www.opengovpartnership.org/ogp-participation-co-creation-standards/>.

² Open Government Partnership, IRM Guidelines for the Assessment of Minimum Requirements, May 2022, <https://www.opengovpartnership.org/documents/irm-guidelines-for-the-assessment-of-minimum-requirements/>.

³ Yuambari Haihuie and Barbra Ruin (TIPNG), interview by the IRM, 20 May 2022.

⁴ See Facebook, Transparency International PNG, <https://www.facebook.com/TransparencyInternationalPNG/posts/the-png-open-government-partnership-national-steering-committee-meeting-co-chair/1765108563660872/>.

⁵ Open Government Partnership PNG, <https://www.ogp.gov.pg/>.

⁶ Open Government Partnership PNG, <https://www.ogp.gov.pg/>.

⁷ Facebook, Department of National Planning and Monitoring, <https://www.facebook.com/profile/100064764756196/search/?q=open%20government%20partnership>.

⁸ Facebook, Papua New Guinea Open Government Partnership, Co-Creation and Good Governance Conference invitation, 2021, <https://www.facebook.com/pngnatplan/videos/1300178510438609/>.

⁹ Yuambari Haihuie and Barbra Ruin (TIPNG), interview by the IRM, 20 May 2022.

¹⁰ Henry Yamo (CIMC), interview by the IRM, 26 May 2022.

¹¹ Henry Yamo (CIMC), interview by the IRM, 26 May 2022.

¹² PNG OGP National Action Plan (2021-2023) Co-creation Workshop, <https://www.ogp.gov.pg/wp-content/uploads/2022/07/OGP-Website-Reasoned-Response-220622-1.pdf>.

¹³ OGP, Procedural Review, <https://www.opengovpartnership.org/procedural-review/>.